

Application Serial No.: 10/824,005

Attorney Docket No. P-082-US3

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REMARKS

Applicants respectfully submit the following remarks in response to the Ex Parte Quayle Office Action mailed on February 3, 2005.

1. Status of the Claims

Claims 1-12 and 29 have been canceled. No amendments have been submitted herewith. Therefore, Claims 13-28 and 30 are pending for examination.

2. Ex Parte Quayle Office Action

The outstanding Office Action indicates the application is in condition for allowance. However, the Examiner asserts that the claims contain non-elected inventions. Applicants respectfully traverse the Examiner's position.

Applicants submit the pending claims do not read on non-elected subject matter and thus comply with the restriction requirement.

The Office Action states the requirement to which the claims must conform as follows: "Applicants are required: To limit their invention to Group I (i.e. left hand side is one of the following L = formulae XI, XII, or XIII)." (Office Action, page 2, lines 15-17)

The claims satisfy the above requirement. Independent Claim 13 recites a compound of formula (II), (L—X—L), with a first limitation that *one* L is selected from the group consisting of a moiety of formula XI, a moiety of formula XII, and a moiety of formula XIII, (restriction Group I). This limitation complies with the above requirement that the "left hand side is one of the following L = formulae XI, XII, or XIII".

Claim 13 includes the additional limitation that *the other* L is selected from a list of different moieties including the moieties of formulae XI, XII, or XIII, (i.e. Group I) and the moieties classified as Groups II-XII. This second limitation is consistent with the statement "Note that Group I is always present in left hand side and another moieties selected from Group II-Group XII is permitted on the right hand side." (Office Action, page 2, lines 11-12.)

Claims 14-28 and 30 are dependent from Claim 13 and therefore each includes at least all the limitations of Claim 13. Accordingly, currently pending Claims 13-28 and 30 comply with the Restriction Requirement; they do not contain non-elected inventions.

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3. Conclusion

In view of the foregoing, Applicants respectfully submit that the application is in condition for allowance, and request that a Notice of Allowability be promptly sent. In the event, that the next action is not a Notice of Allowability, the Examiner is respectfully requested to specifically identify the subject matter that he regards as non-elected inventions.

Should there be any remaining issues that can be resolved by telephone, the Examiner is respectfully requested to telephone the undersigned agent at (650) 808-6144.

Respectfully submitted,

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